

Docket: 018/258C



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## *Facsimile Transmittal Sheet*

Date: February 10, 2004  
To: Malgorzata A. Walicka, Ph.D., Art Unit 1652  
U.S. PATENT AND TRADEMARK OFFICE  
Fax #: (703) 872-9306  
From: J. Michael Schiff, Ph.D.  
Page 1 of 7 (including cover sheet)  last page marked 

### OFFICIAL FILING

Transmittal & Response to  
Restriction Requirement for

**USSN 09/990,080**

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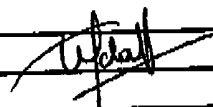
PTO/SB/21 (02-04)

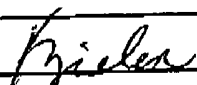
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<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	09/990,080	
	Filing Date	November 21, 2001	
	First Named Inventor	Gregg B. Morin	
	Art Unit	1652	
	Examiner Name	Malgorzata A. Walicka, Ph.D.	
Total Number of Pages in This Submission	5	Attorney Docket Number	018/258C

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
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<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	1. Copy of Notice to Comply (1 page) 2. Response to Restriction Requirement (3 pages)	
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	J. Michael Schiff, Registration No. 40,253	
Signature		
Date	Feb 9 / 04	

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Karen Zielen		
Signature		Date	February 10, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Application/Control Number: 09/990,080

Art Unit: 1652

Application No.: 09/990,080

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING****NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☐ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to those regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a Sequence Listing as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the Sequence Listing in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the Sequence Listing in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked-up Raw Sequence Listing.
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☒ 6. The paper copy of the Sequence Listing is not the same as the computer readable form of the Sequence Listing as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other:

**Applicant Must Provide:**

- ☐ An initial or substitute computer readable form (CRF) copy of the Sequence Listing.
- ☒ An initial or substitute paper copy of the Sequence Listing, as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:  
For Rules Interpretation, call (703) 308-4216  
For CRF Submission Help, call (703) 308-4212  
For Patent software help, call (703) 308-6856

**PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE**

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I hereby certify that this correspondence is being transmitted to the U.S. Patent & Trademark Office  
in accordance with 37 CFR § 1.6(d) on the date indicated.

Kzielen  
Name

Feb. 10 2004  
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors: Gregg B. Morin

Filing Date: November 21, 2001

Serial No: 09/990,080

Docket: 018/258c

Title: INACTIVE VARIANTS OF THE HUMAN  
TELOMERASE CATALYTIC SUBUNIT

Art Unit: ~~1632~~ 1652

Examiner: Malgorzata A. Walicka, Ph.D.

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents  
Alexandria VA 22313

Dear Sir,

This paper is responsive to the Restriction Requirement mailed on January 14, 2004, for which a shortened statutory period for reply is set to expire on February 14, 2004. Accordingly, this paper is timely filed.

Please enter the following remarks.

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The claims pending in the application are subject to a new restriction requirement between the subject matter in two groups.

Applicant is grateful to the Examiner for reconsidering the division of the claimed invention in this manner.

Election of Group for Examination

Group II is hereby elected for examination on the merits. Applicant understands that this group encompasses the following subject matter:

- Claims 1 & 2 in part
- Claims 3 & 4
- Claims 5, 6 & 7 in part
- Claims 10, 11 & 12 in part
- Claims 13, 14 & 15 in part
- Claims 16 & 17

The claims being examined in part will be considered with respect to polypeptides encoded in a polynucleotide that hybridizes under stringent conditions to a polynucleotide consisting of a sequence complementary to complementary to SEQ. ID NO:1; but which contains one or more deletions consisting essentially of residues 560-565, residues 930-934, or at least 10 consecutive amino acids from residues 323-450, 637-660, 748-766, 1055-1071, or 1084-1116 of SEQ. ID NO:2, and methods of using such polypeptides for inhibiting telomerase catalytic activity.

This election is made without traverse.

Compliance with Nucleotide Sequence Disclosure Requirements

The communication dated January 14, 2004, indicates that the Office has made certain corrections to the electronic sequence listing, and asks applicant to supply a paper copy of the sequence listing conforming to the corrections.

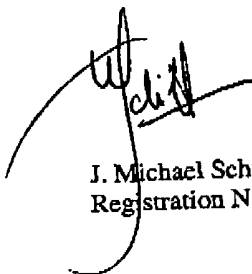
Applicant is unable to comply with this request, since we have not been notified as to what corrections have been made.

Clarification is requested.

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Applicant respectfully requests that the application proceed to examination on the merits .  
In the event the Examiner determines that an interview would facilitate prosecution of this application, she is invited to contact applicant's representative by telephone.

Respectfully submitted,



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Registration No. 40,253

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February 9, 2004

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